

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

ePLUS INC.,)
)
Plaintiff,)
)
v.) Case No. 3:09CV620 (REP)
)
LAWSON SOFTWARE, INC.,)
)
)
Defendant.)

**DEFENDANT LAWSON SOFTWARE, INC'S EMERGENCY MOTION
TO STRIKE THE RULE 26 EXPERT DISCLOSURE
AND DECLARATION OF LARRY W. EVANS IN SUPPORT OF
PLAINTIFF'S MOTION FOR PERMANENT INJUNCTION**

Defendant Lawson Software, Inc. (“Lawson”), moves to strike the Rule 26 Expert Disclosure and Declaration of Larry W. Evans in Support of Plaintiff’s Motion for Entry of Permanent Injunction (the “Evans Report”), which plaintiff ePlus, Inc. (“ePlus”) served on Lawson on February 7, 2011 on the grounds that the Evans Report is untimely and in violation of Fed. R. Civ. P. 37 and on the grounds that the Evans Report contains inadmissible legal opinions on the proper standard for the entry of a permanent injunction and on the application of the law to the facts of this case. The grounds for this Motion are more fully set forth in Lawson’s Memorandum in support of this Motion, which is filed herewith.

LAWSON SOFTWARE, INC.

By /s/
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CERTIFICATE OF SERVICE

I certify that on this 9th day of February, 2011, a true copy of the foregoing will be filed electronically with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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